

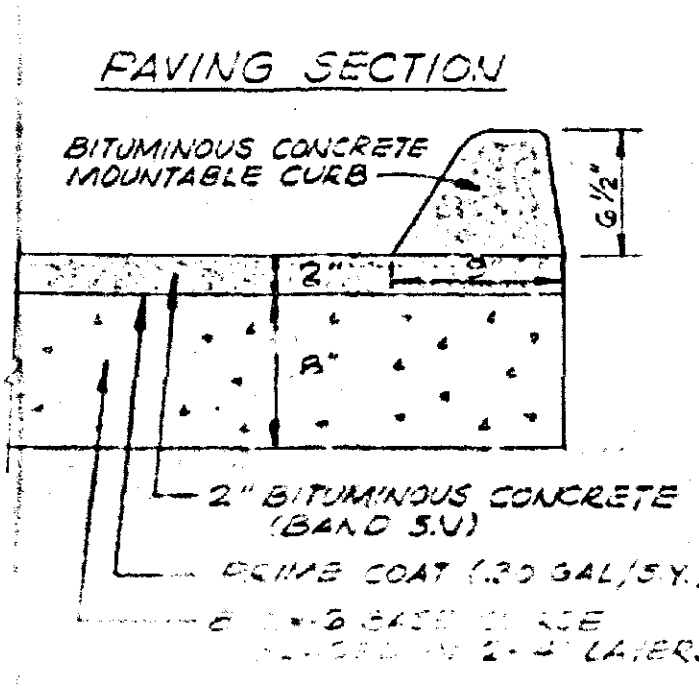
BENCH MARK
 X-5188 ELEV. 376.48
 S 90°33.4E W 437.00
 R.R. SPIKE IN WAC. SHLDR.
 S.S. OF BALTO. NATL. PIKE

- EX. ZONING : BR
- AREA : 5.11 Acres
- EXISTING BUILDING
 - FLOOR AREA = 23,908 sq ft.
 - SHOW ROOM = 2,260
 - OFFICE = 1,507
 - SHOP = 20,141
 - TOTAL PARKING REQUIRED = 86 SPACES
- PROPOSED BUILDING
 - FLOOR AREA = 7,960 sq ft.
 - PARKING REQUIRED : 7,960 ÷ 300 = 27 SPACES
 - TOTAL PARKING REQUIRED = 113 SPACES
 - PARKING PROVIDED
 - EXISTING BUILDING (22 BAYS) : 22
 - PROPOSED BUILDING (11 BAYS) : 8
 - TOTAL PARKING PROVIDED = 30 SPACES
- VARIANCE REQUESTED FOR PROPOSED BUILDING
 - SIDE YARD : 16' INSTEAD OF THE REQUIRED 30'
 - SIDE YARD : MIN. 44' BETWEEN BODIES
 - REAR YARD : MIN. 44' BETWEEN BODIES
 - REAR YARD : MIN. 44' BETWEEN BODIES

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY: [Signature]
 DATE: 8/14/82
 ZONING COMMISSIONER
 82-253
 C-536-R2

- CONSTRUCTION NOTES**
- PROJECT #1
- SEDIMENT CONTROL: See Sheets 2 and 3.
 - STORMWATER MANAGEMENT: See Sheets 2 and 3.
 - GRADING: 16C' C.Y. cut, 1600 C.Y. fill. Proposed parking area shall be cleared and graded to the elevations specified on the plan. All fill material shall be free from roots, stumps, oversized stones, or other objectionable material and placed in 8" maximum lifts. Compaction shall be accomplished with a sheepfoot, vibratory or rubber-tired roller to 95% of AASHTO T-99 density.
 - PAVING: 3500 S.Y. Parking area shall be paved with 2" Bituminous Concrete (Band SN) Surface Course placed on an 8" CR-6 Base Course (2 - 4" layers). All materials and construction shall conform to Maryland State Highway Administration Specifications.
 - CURB: 340 L.F. Bituminous concrete mountable curb shall be placed as specified on the plan. See Baltimore County Bureau of Engineering Standard R-20.
 - CONCRETE WHEEL STOPS: 30 EA. Concrete wheel stops shall be placed in designated parking places.
 - FENCING: 1030 L.F. An 8'-0" chain-link fence shall be constructed in the location specified on the plan. One each 20' and 28' wide double-swing gates shall be installed. Materials and construction shall conform to Maryland State Highway Administration Standard Details 690.01 and 690.02. The proposed fencing around the perimeter of the disabled vehicle storage area shall have slatted screening.
 - LIGHTING: 4 each Proposed luminaires shall be placed on 25' poles with reinforced concrete bases and shall be a minimum of 3 ft.-candles. Contractor shall furnish data to owner and architect for final approval on luminaires.

- PROJECT #2
 Excavate for proposed Auto Body Shop and replace disturbed area with paving section specified on this sheet
- PROJECT #3
 Proposed Office Addition



KCW CONSULTANTS
 CIVIL ENGINEERS-LAND SURVEYORS
 744 DULANEY VALLEY COURT
 TOWSON, MARYLAND 21204
 (301) 821-0852

**SITE DEVELOPMENT PLAN
 GRADING PLAN**

RUSSEL MOTOR CARS, INC.

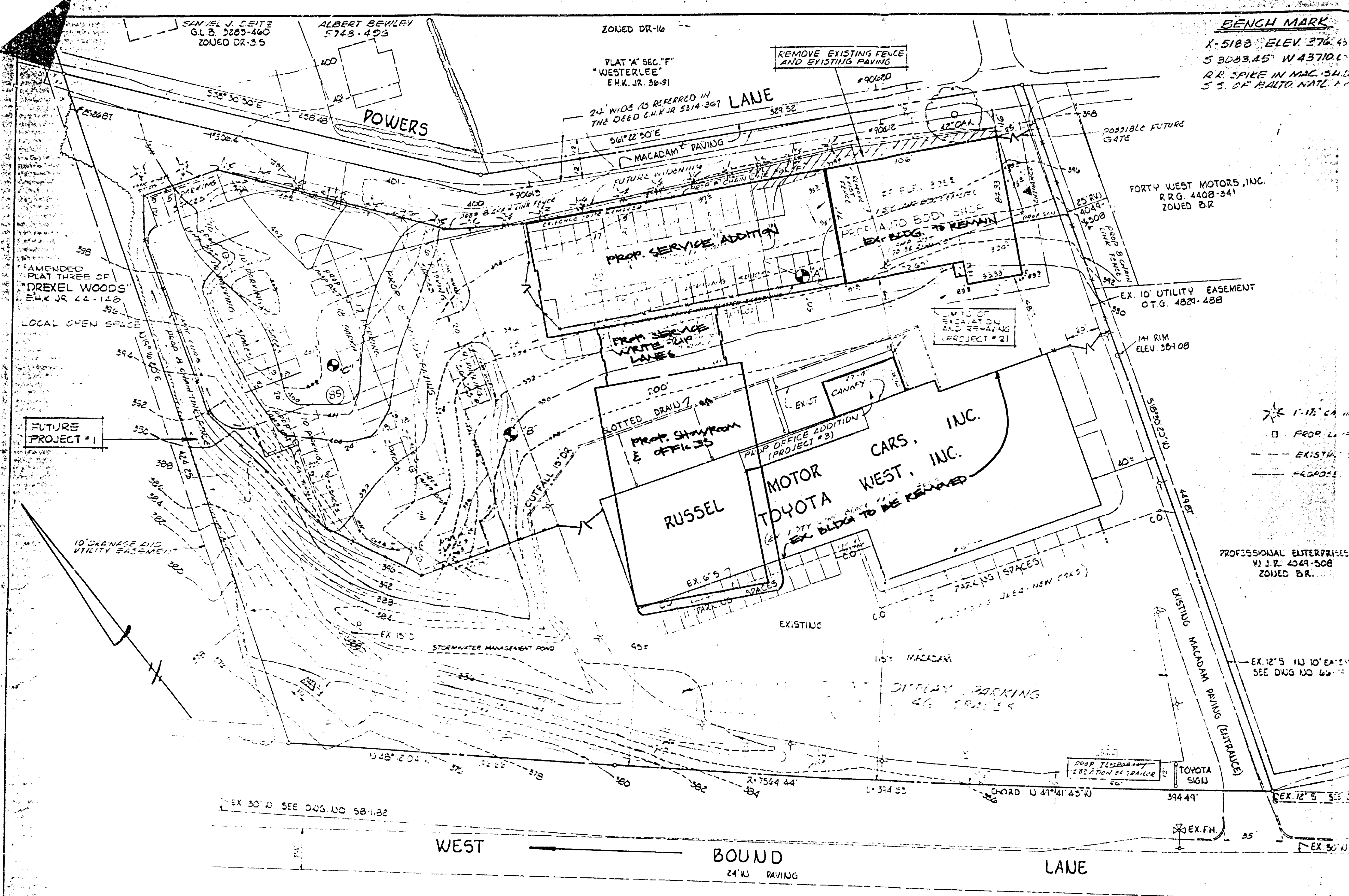
OWNER: RUSSEL MOTOR CARS, INC.
 6700 BALTIMORE NATIONAL PIKE
 BALTIMORE, MARYLAND 21228
 ATTN: PETE RITTMAN 788-8400

1ST. ELECTION DISTRICT
 SCALE: 1"=30'

BALTIMORE COUNTY, MD.
 DATE: MAY 10, 1982

DRAWING NO. G-1 OF 3

MICROFILMED



1. EX. ZONING	BR
2. AREA	5.11 Acres
3. EXISTING BUILDING	
FLOOR AREA	23,585 S.F.
SHOW ROOM	2,260 S.F.
OFFICE	1,500 S.F.
SHOP	20,825 S.F.
PARKING REQUIRED	113 SPACES
PROPOSED BUILDING	
FLOOR AREA	17,900 S.F.
PARKING PROVIDED	113 SPACES
EXISTING BUILDING (22 BAYS)	22 BAYS
PROPOSED BUILDING (11 BAYS)	11 BAYS
TOTAL PARKING PROVIDED	113 SPACES
2. VARIANCE REQUESTED FOR PROPOSED BUILDING	
SIDE YARD	6' INSTEAD OF THE REQUIRED 30'
SIDE YARD	MIN. OF 44' BETWEEN BUILDINGS
DEED REFERENCE	EMK 1958-158-1, 1958-158-2, 1958-158-3, 1958-158-4, 1958-158-5, 1958-158-6, 1958-158-7, 1958-158-8, 1958-158-9, 1958-158-10, 1958-158-11, 1958-158-12, 1958-158-13, 1958-158-14, 1958-158-15, 1958-158-16, 1958-158-17, 1958-158-18, 1958-158-19, 1958-158-20, 1958-158-21, 1958-158-22, 1958-158-23, 1958-158-24, 1958-158-25, 1958-158-26, 1958-158-27, 1958-158-28, 1958-158-29, 1958-158-30, 1958-158-31, 1958-158-32, 1958-158-33, 1958-158-34, 1958-158-35, 1958-158-36, 1958-158-37, 1958-158-38, 1958-158-39, 1958-158-40, 1958-158-41, 1958-158-42, 1958-158-43, 1958-158-44, 1958-158-45, 1958-158-46, 1958-158-47, 1958-158-48, 1958-158-49, 1958-158-50, 1958-158-51, 1958-158-52, 1958-158-53, 1958-158-54, 1958-158-55, 1958-158-56, 1958-158-57, 1958-158-58, 1958-158-59, 1958-158-60, 1958-158-61, 1958-158-62, 1958-158-63, 1958-158-64, 1958-158-65, 1958-158-66, 1958-158-67, 1958-158-68, 1958-158-69, 1958-158-70, 1958-158-71, 1958-158-72, 1958-158-73, 1958-158-74, 1958-158-75, 1958-158-76, 1958-158-77, 1958-158-78, 1958-158-79, 1958-158-80, 1958-158-81, 1958-158-82, 1958-158-83, 1958-158-84, 1958-158-85, 1958-158-86, 1958-158-87, 1958-158-88, 1958-158-89, 1958-158-90, 1958-158-91, 1958-158-92, 1958-158-93, 1958-158-94, 1958-158-95, 1958-158-96, 1958-158-97, 1958-158-98, 1958-158-99, 1958-158-100

CONSTRUCTION NOTES

PROJECT #1

1. SEDIMENT CONTROL: See Sheets 2 and 3.
2. STORMWATER MANAGEMENT: See Sheets 2 and 3.
3. GRADING: 1600 C.Y. cut, 1600 C.Y. fill. Proposed parking area shall be cleared and graded to the elevations specified on the plan. All fill material shall be free from roots, stumps, oversized stones, or other objectionable material and placed in 8" maximum lifts. Compaction shall be accomplished with a sheepsfoot, vibratory or rubber-tired roller to 95% of AASHTO T-99 density.
4. PAVING: 3500 S.Y. Parking area shall be paved with 2" Bituminous Concrete (Band 5N) Surface Course placed on an 8" CR-6 Base Course (2 - 4" layers). All materials and construction shall conform to Maryland State Highway Administration Specifications.
5. CURB: 340 L.F. Bituminous concrete mountable curb shall be placed as specified on the plan. See Baltimore County Bureau of Engineering Standard P-20.
6. CONCRETE WHEEL STOPS: 32 EA. Concrete wheel stops shall be placed in designated parking places.
7. FENCING: 1030 L.F. An 8'-0" chain-link fence shall be constructed in the location specified on the plan. One each 20' and 28' wide double-swing gates shall be installed. Materials and construction shall conform to Maryland State Highway Administration Standard Details 690.01 and 690.02. The proposed fencing around the perimeter of the disabled vehicle storage area shall have slatted screening.
8. LIGHTING: 4 each Proposed luminaires shall be placed on 25' poles with reinforced concrete bases and shall be a minimum of 3 ft-candles. Contractor shall furnish data to owner and architect for final approval on luminaires.

PROJECT #2

Excavate for proposed Auto Body Shop and repave disturbed area with paving section specified on this sheet

PROJECT #3

Proposed Office Addition

NOTES: THE OUTLINE SHOWN ON THIS PLAN WAS PREPARED BY JAMES S. SPARKS & ASSOCIATES

PAVING SECTION

2" BITUMINOUS CONCRETE (BAND 5N)
8" CR-6 BASE (2 - 4" LAYERS)

OWNER: RUSSEL MOTOR CARS, INC.
6700 BALTIMORE NATIONAL PIKE
BALTIMORE, MARYLAND 21228
ATTN: PETE RITTMAN 788-8400

PRINT DATE: JUL 24 1997
KCW CONSULTANTS, INC.

KCW CONSULTANTS
CIVIL ENGINEERS-LAND SURVEYORS
744 DULANEY VALLEY COURT
TOWSON, MARYLAND 21204
(301) 821-0852

RUSSEL MOTOR CARS, INC.
1ST ELECTION DISTRICT BALTIMORE COUNTY, MD
SCALE: 1"=30'
DATE: MAY 10, 1982

DRAWING NO. 101 OF 3

12-133-4

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 102.2, 238.2 and 301.1 to permit a side yard (northerly side) of 16 ft. in lieu of required 30 ft., and to permit a minimum distance of 14 feet between buildings instead of the required maximum of 60 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; to the following reasons: (Indicate hardship or practical difficulty)

In order to have separate building for automobile body shops of necessary size and with appropriate traffic access. Cannot locate building on property convenient to other facilities and access without the limited variances.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
Name or Print Name: Charles W. Margolis
Signature: [Signature]
Address: 505 Blaustein Building
One N. Charles Street
Baltimore, Maryland 21201
City and State
Attorney's Telephone No.: 727-0117

Legal Owner(s):
Name: RUSSEL MOTOR CARS, INC.
(Type or Print Name)
Signature: [Signature]
Name: F. Steven Russel, Vice President
(Type or Print Name)
Signature: _____
Address: 6700 Baltimore National Pike 788-8400
Baltimore, Maryland 21228
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name: F. Steven Russel
Address: 6700 Baltimore National Pike
Baltimore, MD 21228
Phone No. 788-8400

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of April, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of May, 1982, at 9:45 A.M.

[Signature]
Zoning Commissioner of Baltimore County.

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
N/S Route 40, 5151' W of : OF BALTIMORE COUNTY
Rolling Rd., 1st District
RUSSEL MOTOR CARS, INC., : Case No. 82-253-A
Petitioner

ORDER TO ENTER APPEARANCE

Mrs. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated for this, and of the passage of any preliminary or final Order in connection therewith.

[Signature] John W. Hession, III
Deputy People's Counsel
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 29th day of April, 1982, a copy of the foregoing Order was mailed to Aaron Margolis, Esquire, 505 Blaustein Building, One N. Charles Street, Baltimore, Md. 21201, Attorney for Petitioner.

[Signature]
John W. Hession, III

FAK, JR. LIGER 5314 RSE 367

This Deed, Made this 31st day of May
in the year one thousand nine hundred and seventy-two, by and between
R & H MOTORS, INC., a body corporate of the State of Maryland

TOYOTA WEST, INC., a body corporate of the State of Maryland,
of the first part, and
of the second part.

Witnesseth, that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, receipt whereof is hereby acknowledged,

the said R & H MOTORS, INC.,

does hereby grant and convey unto the said Toyota West, Inc., its successors

here and assigns,

in fee simple, all that lot XXXXXX ground, situate, lying and being in the First Election District of Baltimore County

State of Maryland, and described as follows, that is to say:—

Beginning for the same at a point on the northeasterly right of way line of the Baltimore National Pike, U.S. Route 40 (150 feet wide) at the beginning of the 4th or North 24 degree 50 minutes East 442.50 foot line of the land which by Deed dated April 25, 1935 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1056, folio 240, was conveyed by John L. Clark, unmarried, to C. Edward Uebel and Lillian E. Uebel, his wife, thence leaving the Baltimore National Pike and binding on the aforesaid 4th line, as now surveyed, North 19 degrees 14 minutes 20 seconds East 424.25 feet to the center of Powers Lane, 24 feet wide, running thence and binding on the center of Powers Lane, as now located, the two following courses and distances, as now surveyed: (1) South 38 degrees 30 minutes 50 seconds East 258.48 feet to a point distant 12.30 feet South 40 degrees 03 minutes 10 seconds West from a stone on the north side of Powers Lane; (2) South 61 degrees 22 minutes 30 seconds East 339.52 feet to the beginning of the second or South 25 degrees 50 minutes West 444 foot line of the first parcel of land which by Deed dated April 25, 1939 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1056, folio 245, was conveyed by John L. Clark, unmarried, to Clara C. Uebel and George T. Uebel, said point being North 18 degrees 30 minutes 20 seconds East 12.0 feet from a stone on the south side of Powers Lane thence leaving Powers Lane and passing over said stone and binding on the second line in the last mentioned deed, as now surveyed, South 18 degrees 30 minutes 20 seconds West 449.87 feet to the aforesaid northeasterly right of way line of the Baltimore National Pike, running thence and binding on the northeasterly right of way line of the Baltimore National Pike as shown on the State Roads Commission of Maryland Plat No. 2333, the two following courses and distances, as now surveyed: (1) by a curve to the right with a radius of 7,564.44 feet for a distance of 394.53 feet (the chord of said arc

lying North 49 degrees 41 minutes 43 seconds West 394.49 feet); (2) North 46 degrees 12 minutes 04 seconds West, 196.46 feet to the place of beginning. Containing 5.131 acres of land, more or less.

SUBJECT to the slope easements as shown on Plat No. 2333 of the State Roads Commission of Maryland.

BEING the same lot of ground which by Deed dated January 11, 1958, and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4841, folio 156, was granted and conveyed by C. Edward Uebel and wife, et al, to the within named party of the first part, in fee simple.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 18, 1982

COUNTY OFFICE BLDG.
311 N. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Aaron Margolis, Esquire
505 Blaustein Building
One N. Charles Street
Baltimore, Maryland 21201

RE: Item No. 138
Petitioner - Russel Motor Cars, Inc.
Variance Petition

Dear Mr. Margolis:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your client's proposal to construct an auto body shop to the rear of the subject property, this variance request for distance between buildings is required. The area for the proposed building is currently utilized as a parking area with additional parking proposed along the western portion of this site.

In view of the fact that revised site plans were submitted, I scheduled this petition for a hearing. However, particular attention should be afforded to the comments of the Health Department and the Department of Permits and Licenses.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Esq.
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

ENCLOSURE
cc: KCV Consultants
744 Dulaney Valley Court
Towson, Md. 21204

F. Steven Russel
6700 Baltimore National Pike
Baltimore, Md. 21228



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 9, 1982

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #138 (1981-1982)
Property Owner: Russel Motor Cars, Inc.
N/ES Baltimore National Pike, 5,150' N/W of
Rolling Road
Acres: 5.11 District: 1st

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Baltimore National Pike (U.S. 40) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Powers Lane, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way.

The entrance locations are also subject to approval by the Department of Traffic Engineering.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Item #138 (1981-1982)
Property Owner: Russel Motor Cars, Inc.
Page 2
March 9, 1982

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

Robert A. Morton, P.E.
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:SS

cc: Jack Wimbley

H-NE Key Sheet
3 SW 30 Pcs. Sheet
SW 1 H Topo
94 Tax Map

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the ^{Deputy} Zoning Commissioner of Baltimore County, 1124 day of June, 1982, that the herein Petitioner or Variance(s), to permit a side yard setback of 16 feet in lieu of the required 30 feet and a minimum distance of 44 feet between buildings in lieu of the required maximum of 60 feet, in accordance with the site plan prepared by KCW Consultants, revised June 1, 1982, and filed herein, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The area designated "disabled cars storage" shall be in compliance with Section 405A of the Baltimore County Zoning Regulations, and the 8-foot chain link fence shall be slatted. In addition, evergreen screening shall be provided adjacent to Powers Lane.
2. The additional fence on the north side adjacent to Powers Lane and the fence on the west and south sides of the parking area shall be 8 foot high, chain link and shall not be slatted.
3. Additional screening on the north and west sides shall be in compliance with Section 409.2.c.(1) of the Baltimore County Zoning Regulations and shall be evergreen planting. Screening on the west side of the parking areas will be required only when the residential area to the west is developed and residences are visible from the subject site.
4. Approval of a site plan by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

Jan M. H. Jung
Deputy Zoning Commissioner
of Baltimore County



Lowell K. Bridwell
Secretary
M. S. Caltrider
Administrator

February 17, 1982

Mr. William Hammond
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Re: ZAC Meeting of 2-9-82
ITEM: #138
Property Owner: Russel Motor Cars, Inc.
Location: NE/S Baltimore National Pike, Route 40-11
5,150' N/W of Rolling Road
Existing Zoning: BR
Proposed Zoning: Variance to permit a side yard setback of 16' in lieu of the required 30' and to permit a side yard setback of 44' in lieu of the required 52.2' between canopy of existing building and new building.
Acres: 5.11
District: 1st

Attention: Mr. N. Commodari

Dear Mr. Hammond:

On review of the site plan of January 14, 1982 and field inspection, the State Highway Administration finds the plan acceptable.

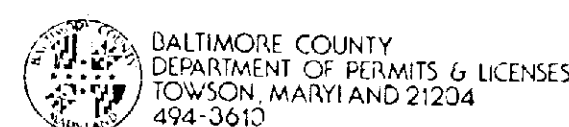
Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Wimbley

My telephone number is (301) 650-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 E. Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5582 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



TED ZALESKI, JR.
DIRECTOR

March 1, 1982

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #138 During Advisory Committee Meeting, February 9, 1982 are as follows:

Property Owner: Russell Motor Cars, Inc.
Location: N/S Baltimore National Pike-5,150' N/W of Rolling Road
Existing Zoning: BR
Proposed Zoning:

Acres: 5.11
District: 1st

The items checked below are applicable:

- 1981
- X A. All structures shall conform to the Baltimore County Building Code 208, the State of Maryland Code for the Handicapped and Age, and other applicable Codes.
- X B. A building permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 208 and the required construction classification of Table 208.
- I. Comments: Although a body shop can be classified as a hazardous use "C1", a paint spray area shall be classified as high hazard use (Table 305.2) and require a fire separation from other areas, the rating of this wall is Table 305.2 and 307.2 as they may apply. These comments are general and submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Room) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3350

STEPHEN E. COLLINS
DIRECTOR

April 8, 1982

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: ZAC Meeting of February 9, 1982

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for items numbers 134 to 142.

Sincerely,

Michael S. Flanigan
Michael S. Flanigan,
Engineering Associate II

MSP/r1j

138
Russel Motor

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 9, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: February 9, 1982

RE: Item No: 134, 135, 136, 137, 138, 139, 140, 141, 142
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

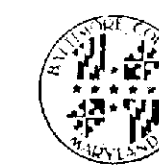
District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

MNP/bp



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

February 23, 1982

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comment on Item 138, Zoning Advisory Committee Meeting of February 9, 1982, are as follows:

Property Owner: Russel Motor Cars, Inc.
Location: NE/S Baltimore National Pike 5,150' N/W of Rolling Road
Existing Zoning: BR
Proposed Zoning: Variance to permit a side yard setback of 16' in lieu of the required 30' and to permit a side yard setback of 44' in lieu of the required 52.2' between canopy of existing building and new building.

Acres: 5.11
District: 1st

Metropolitan water and sewer are available.

A permit to construct from the Division of Air Pollution Control is required for such items as paint spray processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

The parking area/s should be surfaced with a dustless, bonding material.

Very truly yours,

Jan M. H. Jung
Jan M. H. Jung
Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF:ru



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

April 7, 1982

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Russel Motor Cars, Inc.

Location: NE/S Baltimore National Pike 5,150' N/W of Rolling Road

Item No.: 138 Zoning Agenda: Meeting of February 9, 1982

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be sited to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *Paul H. Reincke* Noted and Approved: *George M. Horgan*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/mb/cm

Aaron Margolis, Esquire
505 Blaustein Building
One N. Charles Street
Baltimore, Maryland 21201

NOTICE OF HEARING

RE: Petition for Variances
N/S Route 40, 5154' W. of Centerline of Rolling Road
Russel Motor Cars, Inc. - Petitioner
Case #82-253-A

TIME: 9:45 A.M.

DATE: Thursday, May 27, 1982

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

cc: Russel Motor Cars, Inc.
c/o F. Steven Russel
6700 Baltimore National Pike
Baltimore, Maryland 21228

ZONING COMMISSIONER OF
BALTIMORE COUNTY

LAW OFFICES
MARGOLIS & PRITZKER, P.A.
805 BLAUSTEIN BUILDING
ONE NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201

June 4, 1982

Jean Marie Jung
Deputy Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Russel Motor Cars, Inc.
Petition for Variances
Case No. 82-253-A

Dear Commissioner Jung:

We have had consultations with our Architect and Engineer regarding the matter of screening the Powers Lane and west end perimeter of the property.

The Architect agreed with your reservations of using slats in the chain link fencing and proposed the use of natural white pine screening running along the outside of the fence. This is in line with the preference you expressed at the Hearing.

The owners have agreed to this change in the screening and the Engineer, Mr. Kennedy, has been authorized to make the necessary changes in the Plans.

We trust that this will meet with your approval.

You will recall my informing you that the owners were applying for industrial revenue bond financing for the project and we propose to file the application by June 14. It would be most helpful if we could have your Decision before that date. Since there were no Protestants at the Hearing, we would not expect an appeal.

Thank you for your kind consideration.

Very truly yours,

Aaron Margolis

AM:ps
cc: Mr. Douglas Kennedy
Peter Rittman

Douglas L. Kennedy, P.E.
John M. Cosarquis, L.S.
William K. Woody, L.S.

KCW CONSULTANTS
Civil Engineers and Land Surveyors
744 Dulany Valley Court
Towson, Maryland, 21204

April 12, 1982

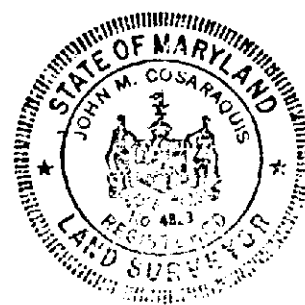
Description for Variance, part of the Toyota West, Inc. property, No. 6700 Baltimore National Pike, 1st. Election District, Baltimore County, Maryland

Beginning for the same at a point on the northeasterly right of way line of the Baltimore National Pike, U.S. Route 40, 150 feet wide, at the distance of 5,154 feet, more or less, from the centerline of Rolling Road, running thence and binding on the northeasterly right of way of the Baltimore National Pike, as shown on the State Roads Commission of Maryland Plat NO. 2333, the two following courses and distances, by a curve to the right with a radius of 7,564.44 feet for a distance of 394.53 feet (the chord of said arc being North 49° 41' 43" West 394.49 feet and North 48° 12' 04" West 196.66 feet, thence leaving the Baltimore National Pike, North 19° 16' 20" East 424.25 feet to the center of Powers Lane, 24 feet wide, running thence and binding on the center of Powers Lane, the two following courses and distances, South 38° 30' 50" East 258.48 feet and South 61° 22' 30" East 329.52 feet, thence leaving said Powers Lane South 18° 30' 20" West 449.87 feet to the place of beginning.

Containing 5.11 acres of land more or less

Subject to a 10 foot Utility Easement, the center line of the 10 foot Utility Easement being the last line of this description.

(Dwg. RW 66-179-3)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
Office of Planning and Zoning
FROM: Zoning Petition No. 82-253-A
Russel Motor Cars, Inc.
SUBJECT: Zoning Petition No. 82-253-A
Russel Motor Cars, Inc.

This office is not opposed to the granting of the subject petition. If granted, it is requested that details of landscaping, submitted to and approved by the Divisions of Current Planning and Development, be required.

Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:slc

cc: Arlene January
Shirley Hess

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
Office of Planning and Zoning
FROM: Zoning Petition No. 82-253-A
Russel Motor Cars, Inc.
SUBJECT: Zoning Petition No. 82-253-A
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Norman E. Gerber
Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:slc

cc: Arlene January
Shirley Hess

PETITION FOR VARIANCES

1st Election District

ZONING: Petition for Variances
LOCATION: North Side Route 40, 5154' W. of Centerline of Rolling Road
DATE & TIME: Thursday, May 27, 1982 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a side yard (northerly side) of 16' in lieu of required 30' and to permit a minimum distance of 44 feet between buildings instead of the required maximum of 60 feet

The Zoning Regulations to be excepted as follows:
Sections 102.2, 238.2 and 301.1 - minimum side yard setback and distance between building in a B.R. zone

All that parcel of land in the First District of Baltimore County

Being the property of Russel Motor Cars, Inc., as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, May 27, 1982 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Douglas L. Kennedy, P.E.
John M. Cosarquis, L.S.
William K. Woody, L.S.

(301)821-0852

KCW CONSULTANTS
Civil Engineers and Land Surveyors
744 Dulany Valley Court
Towson, Maryland, 21204

June 4, 1982

Jean Marie Jung
Deputy Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Reference: Russel Motor Cars, Inc.
Case No. 82-253-A

Dear Ms. Jung:

Transmitted herewith are two prints of the revised site plan for the proposed improvements to Russel Motor Cars. The revisions to the plan are a result of your suggestions during the hearing of May 27, 1982 and discussions with the owners. These revisions are as follows:

1. Body Shop dimensions have been revised to conform to the most recent architectural plans.
2. A possible future gate has been shown in the proposed fence at the location of the existing driveway into Powers Lane.
3. The slatted screening within the proposed chain-link fence has been eliminated, and white pine vegetative screening is proposed outside the fence line along Powers Lane.

Please contact me at 821-0852 if you have any questions concerning the revisions which we have made to the site plan. Thank you very much for your consideration in this matter.

Very truly yours,

Douglas L. Kennedy
Douglas L. Kennedy, P.E.
KCW Consultants, Inc.

DLK/s
Enclosures
cc: Aaron Margolis
Peter Rittman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 20, 1982

Mr. F. Steven Russel
6700 Baltimore National Pike
Baltimore, Maryland 21228

Re: Petition for Variances
N/S Route 40, 5154' W. of centerline of Rolling Road
Russel Motor Cars, Inc. - Petitioner
Case #82-253-A Item #138

Dear Mr. Russel:

This is to advise you that \$71.75 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 107653

DATE 5/26/82 ACCOUNT 01-662

AMOUNT \$71.75

RECEIVED FROM Russel Motor Cars, Inc.
FOR Advertising & Posting Case #82-253-A

C 68C*****712515 6274A

VALIDATION OR SIGNATURE OF CASHIER

PETITION MAPPING PROGRESS SHEET											
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet		
	date	by	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map											
Petition number added to outline											
Denied											
Granted by ZC, BA, CC, CA											
Reviewed by: <u>ED</u>	Revised Plans: Change in outline or description					Yes No					
Previous case: <u>5752</u>	Map # <u>SW 1P</u>										

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting May 7, 1982
Posted for: Variance
Petitioner: Russell Motor Cars, Inc.
Location of property: N/S Route 40 5154' W. of Centerline of Rolling Rd.
Location of Signs: Sign north side of Rt 40 approx 5190' West of Rolling Road
2nd sign south side of Powers Lane approx 35' West of eastern property line
Remarks: _____
Posted by: [Signature] Date of return: May 14, 1982
Number of Signs: 2

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 25 day of Jun, 1982 *

Filing Fee \$ 25.00 Received: ☒ Check

☐ Cash

☐ Other

William E. Hammond, Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 107615

by Kew Consultants

wed by CH

the Petition for assignment of a

DATE 4/22/82

ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: Aaron Margolis, Esquire

FOR: Filing Fee for Case #82-251-A (North Park Associates)

25072 APR 23

25072

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR VARIANCES
1st Election District

ZONING: Petition for Variance
LOCATION: North side Route 40,
5154' W. of Centerline of Rolling
Road
DATE & TIME: Thursday, May 27,
1982 at 9:45 A.M.
PUBLIC HEARING: Room 108,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Variance to permit a side yard (northerly side) of 18' in lieu of required 30' and to permit a minimum distance of 44 feet between buildings instead of the required maximum of 60 feet.

The Zoning Regulations to be excepted as follows:
Sections 102.2, 238.2 and 301.1 - minimum side yard setback and distance between building in a B.R. zone.

All that parcel of land in the First District of Baltimore County Beginning for the same at a point on the northeasterly right of way line of the Baltimore National Pike, U.S. Route 40, 150 feet wide, at the distance of 5,154 feet, more or less, from the centerline of Rolling Road, running thence and binding on the northeasterly right of way of the Baltimore National Pike, as shown on the S.L. & Roads Commission of Maryland Plat No. 2333, the two following courses and distances, by a curve to the right with a radius of 7,564.44 feet for a distance of 354.53 feet (the chord of said arc being North 49° 41' 52" West 394.49 feet and North 49° 12' 04" West 196.68 feet, thence leaving the Baltimore National Pike, North 19° 18' 30" East 434.35 feet to the center of Powers Lane, 24 feet wide, running thence and binding on the center of Powers Lane, the two following courses and distances, South 28° 30' East 258.48 feet and South 61° 22' 30" East 329.52 feet, then leaving said Powers Lane South 30° 20' West 449.87 feet to the place of beginning.

Containing 5.11 acres of land, more or less.
Subject to a 10 foot Utility Easement, the center line of the 10 foot Utility Easement being the last line of this description.

Being the property of Russell Motor Cars, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, May 27, 1982 at 9:45 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By order of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
May 6

CERTIFICATE OF PUBLICATION

TOWSON, MD, May 6, 1982

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., ~~one time~~

~~one time~~ before the 27th

day of May, 1982, the said publication

appearing on the 6th day of May,

1982.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$ _____

1:02 at 9:45 A.M.

PUBLIC HEARING: Room 108,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

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PETITION FOR VARIANCES
1st Election District

ZONING: Petition for Variance
LOCATION: North side Route 40,
5154' W. of Centerline of Rolling
Road
DATE & TIME: Thursday, May 27,
1982 at 9:45 A.M.

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Subject to a 10 foot Utility Easement, the center line of the 10 foot Utility Easement being the last line of this description.

Being the property of Russell Motor Cars, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, May 27, 1982 at 9:45 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By order of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
May 6

Office of
PATUXENT
Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

MAY 6, 1982

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCES
32787

was inserted in the following:

☒ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for ONE successive weeks before the 8 day of MAY, 1982, that is to say, the same was inserted in the issues of

MAY 6, 1982

PATUXENT PUBLISHING CORP.
By [Signature]

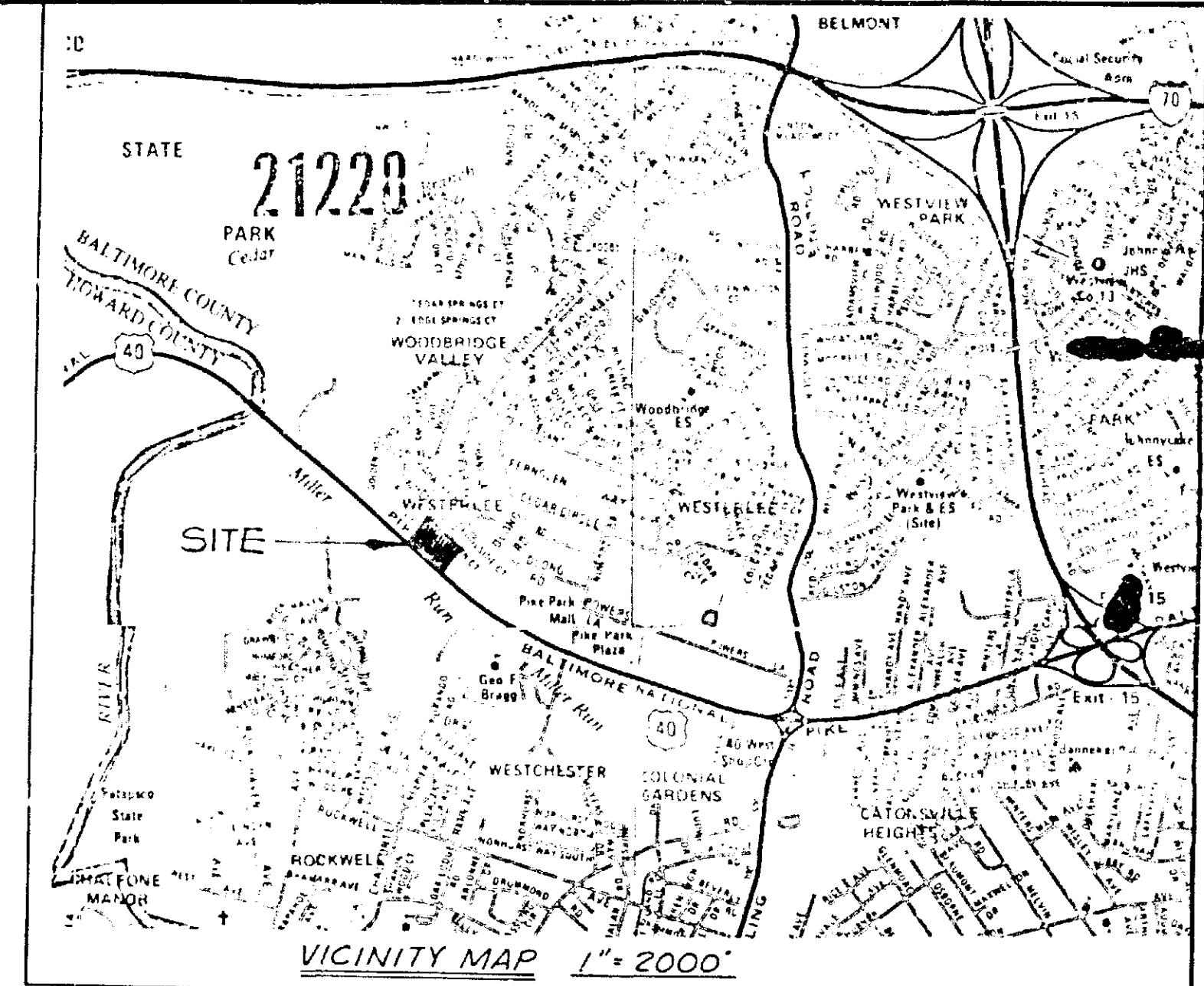
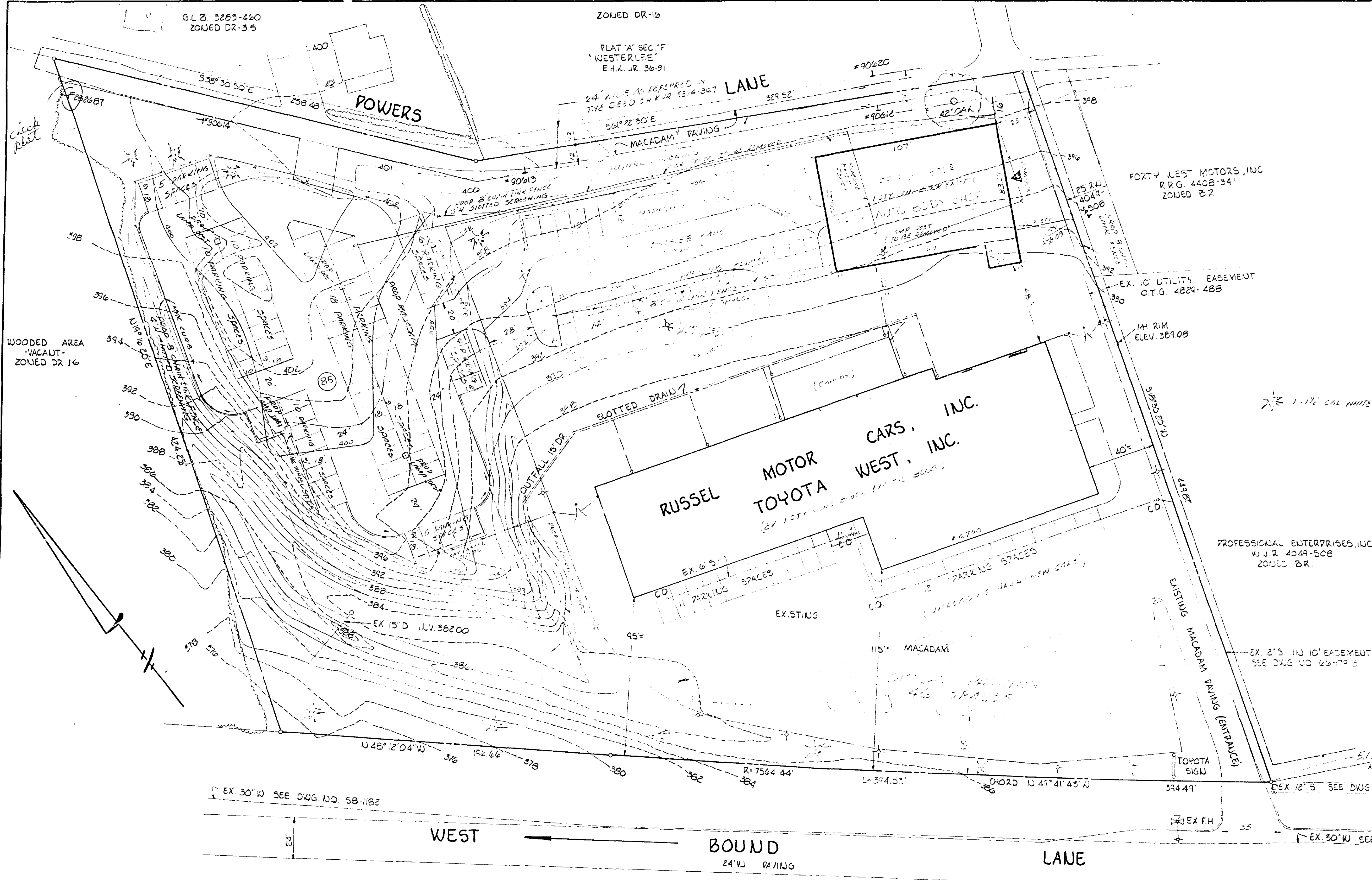
IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF



1. EXISTING 1 BR
2. AREA 5.11 Acres
3. EXISTING BUILDING
FLOOR AREA = 23,308 sq ft
SHOW ROOM = 2,260
OFFICE = 1,507
SHOP = 20,141
PARKING REQUIRED
SHOW ROOM = 2,260 - 200 = 11 SPACES
OFFICE = 1,507 - 200 = 8
SHOP = 20,141 - 350 = 67
TOTAL PARKING REQUIRED = 86 SPACES
PROPOSED BUILDING
FLOOR AREA = 7,960 sq ft
PARKING REQUIRED = 7,960 - 350 = 27 SPACES
TOTAL PARKING REQUIRED = 113 SPACES
PARKING PROVIDED
PROPOSED BUILDING 20 SPACES
PROPOSED BUILDING (11 BAYS) 15
PARKING PROVIDED 113 SPACES
TOTAL PARKING PROVIDED 113 SPACES
4. VARIANCE REQUESTED FOR PROPOSED BUILDING
SIDE YARD 12' INTO 10' IF REQUIRED 30'
SIDE YARD 12' INTO 14' BETWEEN BUILDINGS
112' 14' IF REQUIRED MINIMUM 12' 0"



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 21, 1998

Leslie M. Pittler, Esquire
29 W. Susquehanna Avenue, Suite 610
Towson, MD 21204

RE: Zoning Verification
6700 Baltimore National Pike
Russell Toyota
Zoning Case #82-253-A
1st Election District

Dear Mr. Pittler:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Per your letter and submitted red-lined site plan, the existing building that is to be revised contains 25,326 square feet and the total area of the existing building is 35,300 square feet. Once the configuration of the building is changed and added to the proposed building, it would contain 35,136 square feet on the first floor, plus 5,760 square feet of general office use on the second floor for a total building area of 40,896 square feet. This would be an increase of 7,596 square feet, 23% from that which was approved by zoning case #82-253-A. The proposed increase in actual building footprint is 1,836 square feet (5%).

Your letter requests written responses to four (4) questions: (1) Can the property owner use the previously granted side yard variance (allowing 16 feet in lieu of the required 30 feet) for the proposed extension of the building? No, a hearing will be required for the proposed building extension. (2) On the approved prior hearing plan, the east side of the building was the "front" as verified by approval of the 25 foot setback and the word "entrance". This is further verified by the fact that the approved side yard setback variances were evidenced on the plan. The revised and remodeled building will retain the same orientation. The entrance to the new "retail part" sales counter will be on the east side of the service building that is to remain and will be in approximately the same location as the existing building entrance. The main customer entrance to the revised service facility and showroom will also be on the east side of the building. As such, this office confirms that the east side is the front yard and, therefore, no further variances are required for that setback. (3) Since the east side is considered the front of the property, the vehicle storage setback requirement is applicable to that orientation. Since "display" parking spaces existed in the area to the south, even though it abuts Baltimore National Pike, this office will allow this parking to continue. (4) This office agrees that moving of the existing attached wall mounted sign to the newly remodeled building would not violate the Baltimore County Zoning Regulations.

Printed with Soybean Ink
on Recycled Paper

Leslie M. Pittler, Esquire
May 21, 1998
Page 2

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:rye

Enclosure

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT		No. 048748
DATE 5/7/98	ACCOUNT 001-6150	
AMOUNT \$ 40.00 (JJS)		
RECEIVED FROM: Leslie Pittler		
FOR: VERIFICATION		
Russell Toyota - Baltimore National Pike #98-1819		
DESTINATION WHITE - CASHIER	PINK - AGENCY	YELLOW - CUSTOMER
CASHIER'S VALIDATION		

PAID RECEIPT	
PROCESS 5/7/98	ACTUAL 5/08/1998
TIME 15:23:17	
REF 1034	CASHIER LENT LNS DRAWER 4
MISCELLANEOUS CASH RECEIPT	
CASH 40.00	CASH 40.00
CASH 40.00	CASH 40.00
Baltimore County, Maryland	

RECEIVED MAY 07 1998
LESIE M. PITTLER
ATTORNEY-AT-LAW
SUITE 610
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
410-823-4455, 410-583-2437 FACSIMILE

May 1, 1998

Mr. Arnold Jablon, Director
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Russel Toyota, Baltimore National Pike; Opinion Letter

Dear Mr. Jablon:

Please be advised that I am writing this letter on behalf of Mr. F. Steven Russel the President of Russel Motor Cars, Inc. the company that operates Russel Toyota on Baltimore National Pike. The company is remodeling its current building and changing the shape of same as well as modifying the size. I am enclosing a red-lined plan depicting the modified structure from the approved plan of 1982.

As further background information the existing building that is to be revised constitutes 25,326 square feet. The total area of the existing buildings is 35,300 square feet. Once the configuration of the building is changed and added to, the proposed building would be 35,136 square feet on the first floor plus second floor offices 5,760 square feet for a total building area of 40,896 square feet. This is only a total increase of 7,596 square feet or twenty-three percent (23%) from what consists of the current building and what was approved in 1982. It should also be noted that the increase in actual building footprint is only 1,836 square feet or five percent (5%).

We wish to raise four (4) questions which we would request answers from the Department to facilitate our moving forward in the processing of the modifications of the buildings on this site:

One: EXTENSION OF THE SIDE YARD VARIANCE

In Case No. 82-253A, the Zoning Commissioner granted a side yard variance from the required 30 feet to 16 feet. The proposed building expansion would be in effect only an extension of the current building and in reality create less of a variance by diverging from the other property line. The question is, can the property owner use the previously granted variance for the extended portion of the building?

Russel Toyota
Page 2

Two: WHAT IS THE FRONT OF THE BUILDING

On the approved plan in front of you, it seems as if the east side of the building was the front of the building. The approval of the 25 foot setback on the 1982 plan and the word "entrance" verifies this interpretation. This is further proven by the fact that the approved sideyard setback variances in this case were evidenced on this plan. The revised and remodeled building will maintain the same orientation. The entrance to the new "retail part" sales counter will be on the east side of the service building that is staying in existence and will be in approximately the same location as the existing entrance to the building. The main customer entrance to the revised service facility and showroom will also be on the east side of the building.

Thus, we wish you to confirm that in fact the east side is the front yard and therefore no further variances are required for this plan.

Third: FRONT YARD VEHICLE STORAGE

Assuming that the front yard is the east side of the property, would the vehicle storage setback requirement be applicable, or would this be considered the side yard even though adjacent to Baltimore National Pike? This site has a unique topographic configuration, the elevation adjacent to Baltimore National Pike is more than 20 feet above the elevation of the roadway, thus negating it as frontage. Does the Department agree with this interpretation?

Four: SIGNAGE

The current building has a wall mounted sign in conformance with the regulations in effect at the time it was put on the existing building. The owner wishes to take the identical sign and move it to the newly remodeled building. It is our opinion that being the case the newly enacted sign regulations do not apply, the sign being a non-conforming use due to its prior existence and not being enlarged as well as the minor increase in the actual building footprint being only 5%. Does the Department agree that Russel can in fact, under these circumstances have a wall mounted sign?

I am enclosing a check for \$40.00 covering the cost for this opinion letter.

Sincerely,

Leslie M. Pittler

cc: Mr. Rob Hanna
Mr. Ken Colbert
Mr. S. Steven Russel
Mr. Aaron Margolis, Esq.